



# Ohio Residential Broadband Expansion Grant Program Webinar

**Challenge Process Information Session**  
**October 25, 2021**  
**2:00pm**

**Ohio**

Development  
Services Agency

**BroadbandOhio**

# Reminders

- Webinar is being recorded
- Questions: Type questions into the chat. If your question is not addressed on today's webinar, it will be posted in the FAQ document on the website.



# Webinar Agenda

## Monday, October 25, 2021

- Background information on BroadbandOhio
- Background information on the Ohio Residential Broadband Expansion Grant Program
- Review of Websites
- Review of Challenge Process
- Review of Timelines
- Question and Answer Session

# BroadbandOhio Background

- Created by the DeWine-Husted Administration in March 2020
- BroadbandOhio Office is part of the Ohio Department of Development
- BroadbandOhio is dedicated to bringing high-speed internet access to all Ohioans.



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# Ohio Residential Broadband Expansion Grant Program Background

- House Bill 2 of the 134<sup>th</sup> General Assembly created the Ohio Residential Broadband Expansion Program.
- Created to help internet service providers offset the cost of expanding into areas that lack service.
- The program is designed to assist with the infrastructure costs of the project and help build the networks that will otherwise serve Ohioans who currently cannot participate in the modern economy because of a lack of high-speed internet.



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# Ohio Residential Broadband Expansion Grant Program Authority

- The program authority was created by HB 2 and oversees the grant.
- The Ohio Department of Development staffs the authority and performs tasks such as receiving and reviewing applications.
- The authority scores and approves applications for the grant and consists of five members:
  - The Director of Development, or designee
  - The director of InnovateOhio, or designee
  - One member appointed by the Governor of Ohio
  - One member appointed by the Speaker of the Ohio House
  - One member appointed by the Ohio Senate President



# BroadbandOhio Website

- Information on BroadbandOhio, the Program Authority, application process, challenge process, guidebook, timeline and important dates, and links to the application can be found at:  
<https://broadband.ohio.gov/wps/portal/gov/broadband/>

# Challenge Process

- Broadband Ohio will post the addresses that are included in complete applications by November 13, 2021, on the BroadbandOhio website.
- A challenging provider has 65 days after November 8 to challenge an application
  - No challenges will be accepted before the completed applications are posted to the website
  - Challenges must be received on or before January 12, 2022 to be considered.



# How to Submit a Challenge

- A challenge must be submitted by using the Challenge Form, which can be found on the BroadbandOhio website, grants page.
  - A challenge must be sent Certified Mail to:
    - Ohio Department of Development-  
BroadbandOhio via Certified Mail:  
BroadbandOhio c/o Amy Elbaor, 77  
South High Street, 29th Fl., Columbus,  
Ohio 43215
- AND
- Applicant
    - To the applicant's address listed in the application.

# What is a Complete Challenge?

- A challenging provider must provide satisfactory evidence that:
  - It is providing tier two service to the residential addresses contained within the application or
  - It is providing tier two service in the area adjacent to the residential addresses contained within the application with plans to provide tier two service to addresses contained within the application no later than two years from the date of the challenge.
  - Evidence that the applicant was sent the challenge as well.
- For the providers who are challenging based upon the premise that they will be building into the area, the challenge should include a statement that they understand they may be responsible for paying the funding gap back to the state if they fail to build the internet connectivity specified.

# Additional Challenge Process Information

- A challenge will be deemed submitted on the date the challenge is received by Development. If challenges are not received by the applicant being challenged on or before the date the challenge is received by Development, the challenge may either be rejected or not considered until the challenge is received by the applicant.
- Development may request additional supplemental information from a challenging provider through a written request by email.
- Failure to provide supplemental information to Development in the time and manner requested will result in the challenge being rejected.



# Review of Submitted Challenges

- The challenged applicant's status will be updated in the application system and the system will generate an email to notify them that their application is being challenged
- The authority shall update the status of the application on the Residential Broadband Expansion Program website.

# Authority Hearings

- The authority shall deliberate and make a final decision as to the challenge not later than thirty (30) days after receipt of a completed challenge
- The challenger and challenged applicant will be notified by either certified mail or email of the outcome of the determination

# Application Suspension

- If the Broadband Expansion Program Authority suspends all or part of an application, the broadband provider that submitted the application may revise and resubmit the application no later than fourteen (14) days after the date of the suspension notification.
- When revising the application, the broadband applicant shall not expand the scope or impact of the original application, nor shall the provider add any new residential addresses to the eligible project.



# Application Revision

- A revised application shall be provided to both the authority and the challenging provider by the applicant.
- Done by certified mail to the challenging provider.
- To Development depending on how the original application was submitted. By email, certified mail, or the online application system.
- BroadbandOhio will publish the revised application on the BroadbandOhio website.

# Application Revision

- Upon receipt of revised application, the authority shall review the revised application and decide whether to accept it or uphold the challenge within fourteen (14) days.
- The authority will provide a copy of its decision to both the applicant and the challenging provider by certified mail or email and shall update the status of the application on the Residential Broadband Expansion Program website.
- The decision shall be considered final, and further challenges to the revised applications are prohibited.

# Upholding Challenges

- If the authority upholds a challenge and the challenging provider fails to provide tier two broadband service as described in the challenge, the challenging provider, after reasonable opportunity to be heard, may be required to do either or both of the following, in addition to being subject to other remedies available under the law:
  - Pay to Development, the amount of the original broadband funding gap for the application that was challenged;
  - Comply with the requirements of any other penalties prescribed by agency rule and imposed after consultation with the Authority.
- Any money collected shall be deposited in the Ohio Residential Broadband Expansion Grant Program fund.



# De Facto Challenge

- A De Facto challenge will occur when two or more applicants include the same addresses to be served in their applications.
- The addresses will be awarded to the applicant who receives the highest score for their application.
- The notification by the Department of Development will be the same for this process as well.

# Overview of Timeline

- Ohio Residential Broadband Expansion Grant Program Application Deadline: Monday, November 8, at 5:00pm
- List of Complete Application Addresses Posted: Saturday, November 13<sup>th</sup>
- Deadline for Challenge Process: Wednesday, January 12, 2022

# Questions and Answers

- For additional instructions on the Challenge Process please visit the BroadbandOhio website grants page. This is also where you can find the Challenge Form.
  - <https://broadband.ohio.gov/wps/portal/gov/broadband/grant-opportunities/grant-opportunities-1/grant-opportunities-1>
- Question and Answers
- A specific Challenge Process Frequently Asked Questions will be continuously updated as questions are received and will be posted on the grant website.

Questions: Contact BroadbandOhio at [broadbandOhio@development.ohio.gov](mailto:broadbandOhio@development.ohio.gov)



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